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Attorneys for Plaintiff
XOFT, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

XOFT, INC., a Delaware corporation,

Plaintiff,

V.

CYTYC CORPORATION, a Delaware corporation, and PROXIMA THERAPEUTICS, INC., a Delaware corporation,

Defendants.

Case No. C 05-05312 RMW

~~PROPOSED~~ ORDER GRANTING
XOFT, INC.'S CIVIL LOCAL RULE 79-
5(D) MISCELLANEOUS
ADMINISTRATIVE REQUEST TO FILE
UNDER SEAL EXHIBIT 1 TO THE
DECLARATION OF MONTE M.F.
COOPER IN SUPPORT OF XOFT,
INC.'S MOTION TO COMPEL CYTYC
TO PROVIDE VERIFIED RESPONSES
WITHOUT OBJECTION TO XOFT'S
FIRST SET OF INTERROGATORIES,
INCLUDING (BUT NOT LIMITED TO)
INTERROGATORIES 19 & 26-37

Honorable Richard Seeborg
Ctrm: 4, 5th Floor
Date: June 27, 2007
Time: 9:30 a.m.

AND RELATED COUNTERCLAIMS.

1 This matter came before the Court on Xoft's Civil Local Rule 79-5(d) Miscellaneous
2 Administrative Request to File Under Seal Exhibit 1 to the Declaration of Monte M.F. Cooper in
3 Support of Xoft, Inc.'s Motion to Compel Cytvc to Provide Verified Responses Without
4 Objections to Xoft's First Set of Interrogatories, Including (But Not Limited To) Interrogatories
5 19 & 26-37 ("Cooper Declaration"). Having considered the pleadings and papers on file, the
6 Court HEREBY ORDERS that the Administrative Request is GRANTED, as follows:

7 (1) Exhibit 1 to the Cooper Declaration shall be filed under seal; and
8 (2) Only the Court and court personnel may inspect the records sealed by this Order.

10 **SO ORDERED.**

11 Dated: June 14, 2007, 2007



12 Honorable Richard Seeborg
13 United States District Court Judge

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1 **CERTIFICATE OF ELECTRONIC SERVICE**

2 I hereby certify that on **May 23, 2007**, I electronically filed the foregoing document with
3 the Clerk of the Court using the CM/ECF system, which will send electronic notification of such
4 filing to the following individual(s):

5 Henry C. Bunsow
6 Henry C. Su
7 HOWREY LLP
8 525 Market Street, Suite 3600
9 San Francisco, CA 94105
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11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct. Executed on **May 23, 2007**, at Irvine, California.

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14 _____
15 s/**Thomas J. Gray**
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Thomas J. Gray